

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

CALEB HESTER-MCCOY,

Plaintiff,

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

Case No. 1:24-cv-01518-JLT-CDB (SS)

ORDER ON STIPULATION EXTENDING
DEFENDANT’S TIME TO RESPOND TO
COMPLAINT

(Doc. 10)

On December 12, 2024, Plaintiff Caleb Hester-McCoy (“Plaintiff”) initiated this action with the filing of a complaint against Defendant Commissioner of Social Security (“Defendant”). (Doc. 1).

Pending before the Court is the parties’ stipulated request to extend the time for Defendant to respond to Plaintiff’s complaint by filing the electronic certified administrative record as the answer to the complaint up to and including March 28, 2025, filed on February 7, 2025. (Doc. 10). The parties represent that Defendant’s response to the complaint is currently due to be filed by February 11, 2025, and Defendant has not previously requested an extension of the deadline. (*Id.* ¶ 1). The parties represent that in accordance with the Federal Rules of Civil Procedure that was recently amended to add Supplemental Rules for Social Security review cases under 42 U.S.C. § 405(g), the Commissioner files a certified administrative record (“CAR”) as the Answer to a complaint for review. (*Id.* ¶ 2). The parties represent that

1 Defendant's Counsel has been informed by the client agency, the Social Security Administration,
2 Office of Appellate Operations, that the CAR is not fully prepared in this matter and therefore
3 needs more time to prepare the CAR for the Court's review. (*Id.* ¶ 3). Thus, the parties stipulate
4 and request an extension for Defendants to file an answer or other response to the complaint by
5 45 days to March 28, 2025. (*Id.* ¶ 4). The parties represent that Plaintiff's Counsel has no
6 objection to the instant request, which is made in good faith and is not intended to delay the
7 proceedings. (*Id.* ¶¶ 5–6).

8 Good cause appearing, IT IS HEREBY ORDERED the Defendant shall have until March
9 28, 2025, to respond to the complaint by filing an answer or other responsive pleading. *See*
10 Local Rule 144(a).

11 IT IS SO ORDERED.

12 Dated: February 10, 2025

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15 UNITED STATES MAGISTRATE JUDGE
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